

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C. 20436

In the Matter of)	
)	
CERTAIN AGRICULTURAL)	Inv. No. 337-TA-486
TRACTORS, LAWN TRACTORS,)	
RIDING LAWMOWERS, AND)	
COMPONENTS THEREOF)	
)	

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL
DETERMINATION FINDING A RESPONDENT IN DEFAULT**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's ("ALJ's") initial determination ("ID") finding respondent Beiqui Futian Automobile Co. Ltd. ("Futian") of Beijing, China in default. Pursuant to Commission rule 210.16(c)(1), the complainant may now file with the Commission a request for immediate entry of relief against the respondent in default.

FOR FURTHER INFORMATION CONTACT: Clara Kuehn, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3012. Copies of the ALJ's ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at <http://dockets.usitc.gov/eol/public>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on February 10, 2003, based on a complaint and motion for temporary relief filed by New Holland North America, Inc. ("complainant") of New Holland, Pennsylvania. 68 *Fed. Reg.* 6772 (Feb. 10, 2003). The complaint alleged violations of section 337 of the Tariff Act of 1930 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain tractors and components thereof by reason of misappropriation of New Holland's trade dress. The Commission's notice of investigation named Futian among the respondents.

On March 5, 2003, complainant moved pursuant to section 337(g) and Commission rule 210.16 for issuance of an order directing Futian to show cause why it should not be found in default. On March 7, 2003, the ALJ issued Order No. 4, which ordered Futian to show cause by March 14, 2003, why it should not be found in default. Order No. 4 noted Futian's failure to respond to the complaint and notice of investigation or to otherwise to acknowledge the existence of this proceeding. Futian did not respond to the order to show cause.

On March 19, 2003, the ALJ issued an ID (Order No. 6) finding Futian in default pursuant to Commission rules 210.16(a) and (b), and ruling that it had waived its right to appear, to be served with documents, and to contest the allegations at issue in the investigation. No petitions for review of the ID were filed.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), and section 210.42 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.42).

By order of the Commission.

Marilyn R. Abbott
Secretary to the Commission

Issued: April 9, 2003